



Town of *Kiawah Island*

Mayor

Craig E. Weaver

Council Members

Maryanne Connelly

Daniel Prickett

Klaus Said

Chris Widuch

Town Administrator

Stephanie Monroe Tillerson

TOWN COUNCIL MEETING Municipal Center Council Chambers December 1, 2020; 2:00 pm

AGENDA

- I. Call to Order:
- II. Approval of Minutes:
 - A. Minutes of the Town Council Workshop of November 3, 2020 [Tab 1]
- III. Mayor's Update:
- IV. Citizens' Comments (Agenda Items Only):
- V. Presentation:
 - A. Sea Level Resiliency/Adaptive Management Report [Tab 2]
- VI. Old Business:
 - A. To Consider Approval of **Ordinance 2020-12** - An Ordinance to Amend the Fiscal Year 2020-2021 Budget for The Town of Kiawah Island, South Carolina (7/1/20 Through 6/30/21) - **Second and Final Reading** [Tab 3]
 - B. To Consider Approval of **Ordinance 2020-13** - An Ordinance to Set the Salaries for the Mayor and Council Members of The Town of Kiawah Island - **Second and Final Reading** [Tab 4]
 - C. A Discussion of the Draft Language for a Tourism Committee
- VII. New Business:
 - A. To Consider Approval of **Ordinance 2020-14** - An Ordinance to Amend Article 14, General Regulations, Chapter 1, Flood Damage Prevention, Division 1 - General Standards, Division 2 – Administration and Enforcement, and Division 3 - Provisions for Flood Hazard Reduction - **First Reading** [Tab 5]
 - B. To Consider Approval of **Resolution 2020-06** - A Resolution Authorizing the Mayor of the Town of Kiawah Island to Execute an Easement Agreement by Which Haulover Creek Development Company, LLC, is Deeding a Landscape, Recreation and Utility Easement to the Town of Kiawah Island [Tab 6]
 - C. To Consider Approval of **Resolution 2020-07** - A Resolution Authorizing the Redemption of the General Obligation Bond Issued by the Town of Kiawah Island on October 12, 2016 [Tab 7]
 - D. To Consider Approval of **Resolution 2020-08** - A Resolution to Allow Emergency Repair Noise [Tab 8]
 - E. To Consider Approval of the Funding Requests from the Kiawah Island Conservancy for Phase II of the Groundwater Table and Marsh Vulnerability Studies [Tab 9]
 - F. To Consider Approval of the Town Attorney Contract for Joseph Wilson [Tab 10]
 - G. To Consider Approval of the 2021 Meeting Dates [Tab 11]
- VIII. Town Administrator's Report:
- IX. Council Member:
 - a. Committee Updates
 - b. General Comments
- X. Citizens' Comments:
- XI. Adjournment:



Tab | **1**

TOWN COUNCIL

Agenda Item

TOWN COUNCIL MEETING

Municipal Center Council Chambers

November 3, 2020; 2:00 PM

MINUTES

I. Call to Order: Mayor Weaver called the meeting to order at 2:00

Present at the meeting: Craig Weaver, Mayor
Chris Widuch, Mayor Pro Tem
Maryanne Connelly, Councilmember
Dan Prickett, Councilmember
Klaus Said, Councilmember

Also Present: Stephanie Tillerson, Town Administrator
Joe Wilson, Town Attorney
Petra Reynolds, Town Clerk
David Irwin, Mauldin & Jenkins
Lee Bundrick, Kiawah Conservancy
Mark Permar, Kiawah Partners

II. Approval of Minutes:

A. Minutes of the Town Council Workshop of October 6, 2020

Mayor Pro Tem Widuch made a motion to approve the minutes of the October 6, 2020 Town Council Workshop. Councilmember Said seconded the motion, and the minutes were unanimously approved.

B. Minutes of the Town Council Meeting of October 6, 2020

Mayor Pro Tem Widuch made a motion to approve the minutes of the October 6, 2020 Town Council Meeting. Councilmember Prickett seconded the motion, and the minutes were unanimously approved as amended.

III. Mayor's Update:

Mayor Weaver stated that now that the State and National elections have passed, the attention is now shifted to the Town's Council and Mayoral election. The election will be taking place on Tuesday, December 1st, and the Candidates' Night sponsored by the Community Association has been scheduled for Thursday evening, November 12th. The event will be held virtually, with the Community Association and the Town communicating how residents can participate in the discussion format. He encouraged everyone to tune-in and to ask questions and to hear from the candidates.

Mayor Weaver took the opportunity to review the events that transpire in the Town following the election. He indicated that following the election, the County would take two to three days to certify the election results. Members of the current Council will continue in their roles until that process is completed and the members of the new Council are sworn in, so there is a full Town Council meeting scheduled for December 1st.

Mayor Weaver reminded the candidates that two months ago Council took action to reaffirm the Town's current emergency ordinance concerning face coverings and restrictions on occupancies and restaurants, which expires on December 5th; therefore, the new Council will need to take some action quickly on the ordinance to either extend, not extend or extend with some variation.

Mayor Weaver stated that following the Sea Level Rise report, an informal group began working on the framework for an adaptive management process. A part of the plan was creating a survey for resident and non-resident property owners. The survey was completed, and at the December 1st Town Council meeting, the group will be presenting the results of the survey along with a narrative or report on the key findings with regard to the first steps of an adaptive management plan.

Mayor Weaver followed up on his report that Charleston County is moving towards receiving input on the Main Road Corridor, Segment C project. The project consists of three segments of which Segment C is the widening of Bohicket Road. He stated that the roads' safety and functionality are critical to Kiawah residents, property owners, visitors, and businesses. He encouraged residents to go to the website to evaluate all the alternatives and pointed out the need for a strong Council and Community involvement.

IV. Citizens' Comments (Agenda Items Only):

None

V. Presentations:

A. Fiscal Year 2019/2020 Audit Presentation – Mauldin & Jenkins

Before the presentation, Mayor Weaver individually thanked all the Audit Committee members, Andy Capelli, James Williams, Alex Fernandez, and John Ross, for their contributions.

Mr. David Irwin, a managing partner with the audit firm of Mauldin Jenkins, gave an overview of the Town's financial audit of the fiscal year ending June 30, 2020. He presented the auditors' discussion and analysis, an internal document prepared for the benefit of the Council, which gives general information on the firm, a summary of the discussion points, and a synopsis of accounting standards implemented in the future. Mr. Irwin reviewed the following discussion points:

- **Auditor's Responsibility**
The responsibility of Mauldin Jenkins, as external auditors, is to express opinions on these financial statements based on our audit. Mauldin Jenkins conducted the audit in accordance with governmental standards and generally accepted auditing standards.
- **Opinions**
Mauldin Jenkins has issued a clean or unmodified opinion on this year's audit report, which is the highest level of assurance that can be provided. The respective financial statements are considered to present the financial position and results of operations fairly as of and for the year ended June 30, 2020.
- **Internal Controls**
Mauldin Jenkins has no audit findings to report or found no deficiencies or material weakness in the internal control over financial reporting despite the pandemic experienced in the past year. The audit was completed three weeks sooner than the past year due to the finance department's exceptional work.
- **Financial Statements - CAFR**
A Comprehensive Annual Financial Report (CAFR) goes beyond the standard financial reporting required by accounting principles generally accepted in the United States. The Town's CAFR was submitted to the Government Finance Officers Association (GFOA) and was reviewed and deemed to merit the award of the GFOA's Certificate of Achievement for Excellence in Financial Reporting.
- **Financial Statements**
The Auditors Discussion & Analysis (AD&A) is included as a condensed overview of the Town's financial statements. The presented financial statements included three components; 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements, along with the Management's Discussion and Analysis (MD&A) as prepared by Town management.

During the discussion of the financial statement, General Fund Revenues, Expenditures, and Footnotes, Mr. Irwin pointed out that Kiawah Island does not impose a property tax, that the Town's finances are all economy driven, and that the Town has a very healthy General Fund balance. He also thanked Ms. Szubert, Town Treasurer, and her staff for their efforts to complete the audit.

Mayor Weaver asked Mr. Irwin to update the direction and thinking on pension liability and any potential impact on the Town. He indicated that in past years the Town's exposure to the State's underfunding was a footnoted amount, now the potential shortfall shows as a liability.

Mr. Irwin explained that the implementation of GASB (Government Accounting Standards Board) 68 required the Town's portion of the net pension liability be recorded on the Financial statements. Day-to-day operations are not affected by the reporting and are strictly for the government-wide financial statement reporting component. It is a future liability based on a certain number of actuarial assumptions and does not affect the general fund balance. The purpose GASB 68 was to highlight that the state's pension plan is underfunded.

B. Update on the Groundwater Table and Marsh Vulnerability Studies - Lee Bundrick, Kiawah Conservancy

Groundwater Project – Provided a quick recap of the project. In July 2020, the project had 15 wells installed across Kiawah Island. Six additional wells have been installed since then to duplicate several conditions that affect groundwater. Solinst Leveloggers were installed in all wells to gather data on water level and temperature, with a select few gathering information on conductivity.. For the presentation, data from the monitoring well at the Rhett's Bluff Boat Landing were shown. Data from a weather station on Kiawah Island capturing accumulated rainfall and tidal data from the Kiawah River Tide Station were also shown. Additional analyses on groundwater will continue pending approval of the phase II proposal to the Town of Kiawah Island.

Marsh Vulnerability Project – Provided a quick recap of the project. Previously, marsh shorelines between 1977 and 2017 were created for the areas surrounding Kiawah Island. Charleston College created a mapping product to illustrate erosion as red areas and accretion as green areas. Examples from the marshlands near Bass Creek, the Kiawah River Bridge, and Rhett's Bluff were shown. The area around Bass Creek shows net erosion and accretion, but the creeks have increased sinuosity – likely due to increased volumetric flow in the creeks. The marsh east of the Kiawah River Bridge shows net erosion and is likely the focus of future restoration projects. A video graphic was shown of the change in land cover on Kiawah Island between low tide and high tide in early May 2020. Additional analyses on marsh conditions will continue pending the phase II proposal's approval to the Town of Kiawah Island. An additional method was presented to the Conservancy in October, which will be included in the Phase II proposal and will have State-wide implications for understanding marshlands.

VI. Old Business:

None

VII. New Business:

A. To Consider Approval of Ordinance 2020-12 - An Ordinance to Amend the Fiscal Year 2020-2021 Budget for The Town of Kiawah Island, South Carolina (7/1/20 Through 6/30/21) – Public Hearing and First Reading

Mayor Weaver opened a Public Hearing on **Ordinance 2020-12**. Hearing no comments, Mayor Weaver closed the Public Hearing.

Mayor Weaver stated the budget amendment was discussed and recommended for approval by the Ways and Means Committee.

Ms. Szubert indicated the Ways and Means Committee reviewed the budget focusing on revenues where it was noted that the revenue income was better than projected. Also reviewed were items that were tabled and reconsidered for approval in the budget amendment.

1. **Personnel Cost:** - This change would result in an approximately \$20K increase in the Town's cost.
 - Optional Deferred Compensation Match Program - 401(k) or 457(b)
 - Currently, the Town contributes 50% of eligible (after one year of employment) employee's contribution to 401(k) plan up to \$3,000.
 - Current cost to the Town (for FY2020) was \$19,256.
 - Proposed change:
 - Increase the Town contribution from 50% to 100%.
2. **Website Redesign** - An estimate for the Town's website redesign \$100k.
3. **Environmental Projects** – a total of \$16,400:
 - Dolphin Stewardship Program – Collect data on dolphin behavior at Captain Sam's inlet and educate beachgoers about proper dolphin viewing etiquette. (\$4,400)
 - Shorebird Stewardship Program – Volunteers educate beachgoers regarding nesting and migratory shorebirds. Provide equipment and T-shirts (\$1,000)
 - Bluebird Box Program – Volunteers build, maintain, and monitor more than 200 nesting boxes on the island. Materials and equipment (\$1,000)
 - Bobcat SGA Research and Outreach – Provide funding for videos and other educational materials as well as SGA lab tests (\$10,000)
4. **Portable Radios** - Total cost after programming fees and taxes is \$66,544
Twelve portable radios; 2 radios for the Town's staff for \$5,079 and 10 for the Beach Patrol in the amount of \$54,220 to replace current older version radios.
5. **Air Purification System** – a total cost of the project is \$15,985
It is an air scrubber system to help remove airborne viruses.

Mayor Weaver stated Exhibit "A" of the budget amendment shows increased revenues of \$461,301.00. Ms. Szubert clarified that the figure is a full-year projected total. Updating the actuals in accommodation taxes for the first quarter and using the same assumptions for the second, third, and fourth quarters. Exhibit "A" of the budget amendment shows a potential spending increase of approximately \$219,000.00 if all considerations are approved.

Mayor Weaver stated that what is being voted on is the budget based on the amounts of the items discussed. He clarified that while the revised budget with the potential spending may be approved, some individual items will still require Council approval for the actual expenditure or policy change.

Councilmember discussion included the need for a policy change, Council approval, and that Ways and Means discussion pointed out that some of the items were not ready for consideration.

Councilmember Connolly made a motion to approve the first reading of Ordinance 2020-12 - An Ordinance to Amend the Fiscal Year 2020-2021 Budget for The Town of Kiawah Island, South Carolina (7/1/20 Through 6/30/21). Councilmember Said seconded the motion.

Mayor Pro Tem Widuch indicated that Ways and Means discussion of item 1. **Personnel Cost** suggested the \$20,000.00 figure was not based on actual modeling but rather a placeholder. Councilmember Said clarified that the original proposal for consideration included increasing the Deferred Compensation Match Program from 50 % to 100% and included an increase in the contribution cap from 3000.00 to

5000.00. Taking both changes together made the figure of \$20,000.00 uncertain, but a proposal of just the match increase makes the dollar amount more accurate. Mayor Pro Tem Widuch indicated that he would not support the proposal, expressing that he felt it was bad policy to make this change mid-year.

Mayor Weaver reviewed the additional proposals;

2. **Website Redesign** - An estimate for the Town's website redesign \$100,000.00, Council members supported.
3. **Air Purification System** – a total cost of the project is \$15,985, Council members supported.
4. **Environmental Projects** – a total of \$16,400, Council members supported with Mayor Pro Tem Widuch expressing that while he would support the environmental projects' funding, he objected to the funding Dolphin Stewardship Program.
5. **Portable Radios** - Total cost after programming fees and taxes is \$66,544, Council members supported. Mayor Weaver indicated that he disagreed with the number of radios requested and that the purchase would have to be approved before the expenditure.

Mayor Pro Tem Widuch made a motion to amend the motion for the approval of Ordinance 2020-12 by removing the \$20,000.00 for Item 1. Personnel Cost from Exhibit A. With no second, the motion failed.

Following further discussion, the motion to approve the first reading of Ordinance 2020-12 was unanimously approved.

- B. To Consider Approval of **Ordinance 2020-13** - An Ordinance to Set the Salaries for the Mayor and Council Members of The Town of Kiawah Island - **First Reading**
- C. To Consider Approval of **Resolution 2020-05** - A Resolution to Set the Salary for the Judge of the Municipal Court of The Town of Kiawah Island

Councilmember Prickett stated earlier in the year Mayor Weaver asked him to identify any significant strategic risks that the Town faces and to make an assessment as to the Town's preparedness to address those risks. He indicated that of the nine risks identified; one was that there was the potential for Town Council and Mayor turned over every two years until this current election. This risk was addressed by staggering the elections and extending the terms of Council and the Mayor to four-year terms giving continuity and reducing risk. Another risk identified was that the Town has a relatively small pool of legal residents to draw from to populate its committees and its elected and appointed positions. The challenge of finding civic-minded people willing to put in the time and effort and willingness to work as a team with other entities has existed for several years and will continue as the Community continues to grow. This requires the Town to do everything possible to attract the best people and asked Council to consider a stipend to Kiawah's Mayor, Council members, and the Municipal Judge to recognize their commitment, service, and the multitude of additional work involved in those positions.

Councilmember Prickett recommended and asked Council to consider a stipend of \$1000.00 quarterly or \$4000.00 yearly for members of the Council and the Municipal Judge and \$2,000.00 quarterly or \$8,000.00 yearly for the Mayor, to be paid quarterly. He noted that the Mayor's stipend is higher because of his dual responsibilities as the legislator and the chief executive officer of the Town.

Mayor Weaver added his comments that he had been a strong proponent of the recommendation, in the eyes of the public, professionalize the Town's leadership organizations, and they see staff as professional, competent, and capable along with the elected leadership. He also noted that the intention was to make the recommendation earlier this year but was delayed due to Coronavirus and budget shortfalls. With issues relative to the budget looking otherwise, the consideration's timing is dictated by the requirement that the ordinance's approval is required to come before an election to take effect.

Councilmember Connelly made a motion to approve the first reading of Ordinance 2020-13 - An Ordinance to Set the Salaries for the Mayor and Council Members of The Town of Kiawah Island. Councilmember Said seconded the motion.

Following further discussion, Mayor Weaver called for a roll call vote.

Mayor Craig Weaver voted yes
Mayor Pro Tem Chris Widuch voted yes
Councilmember Maryanne Connelly voted yes
Councilmember Dan Prickett voted yes
Councilmember Klaus Said voted yes

A unanimous vote passed the motion.

Councilmember Said made a motion to approve the Resolution 2020-05 - A Resolution to Set the Salary for the Judge of the Municipal Court of The Town of Kiawah Island. Councilmember Prickett seconded the motion.

Mayor Weaver called for a roll call vote.

Mayor Craig Weaver voted yes
Mayor Pro Tem Chris Widuch voted yes
Councilmember Maryanne Connelly voted yes
Councilmember Dan Prickett voted yes
Councilmember Klaus Said voted yes

A unanimous vote passed the motion.

D. To Consider Approval of the 2021 Charleston County Off-Duty Deputy Contract

Mayor Weaver stated that the contract was discussed and recommended by the Ways and Means Committee.

Councilmember Connelly made a motion to approve the 2021 Charleston County Off-Duty Deputy Contract. The motion was seconded by Mayor Pro Tem Widuch and was unanimously passed.

E. To Consider Approval of the Amendment to the Island Beach Services Code Enforcement Services Contract

Mayor Weaver stated that the amendment to extend the current contract for one year was discussed and recommended by the Ways and Means Committee.

Mayor Pro Tem Widuch made a motion to approve the 2021 Charleston County Off-Duty Deputy Contract. The motion was seconded by Councilmember Said and was unanimously passed.

F. To Consider Approval of the **Third Amendment to the 2013 Amended and Restated Development Agreement by and Between Kiawah Resort Associates and Town of Kiawah Island affecting Parcel 13B Lot1**

Mayor Weaver stated that a workshop was held to review the amendment prior to the last Town Council meeting. Mr. Parmar presented the request from Kiawah Resort Associates (Kiawah Partners) to amend the Development Agreement relating to densities and building sizes in a part of Parcel 13.

Mr. Taylor gave an overview of the request from Kiawah Partners for an amendment to the 2013 Amended and Restated Development Agreement. The request focuses on Lot 1 of Parcel 13 Beachwalker Drive situated north of Southern Pines or Duneside and north of Timbers, noting a similar request was made and approved in the previous year for Lot 2. Parcel 13 has an entitlement of 234 dwelling units, is zoned R3, and allocates 129 dwelling units for Lot 1, along with the Community Association's agreement to place access and construction limitations. The request asks for a specific increase in the number of dwelling units per building; two of the multi-family buildings having up to fourteen dwelling units, two buildings having up to ten units with the remaining four having up to eight units reducing the total number of entitlements from 129 to 100. The other component would be a reduction of the buildings' height from four to three stories in the areas closest to the Duneside development.

Councilmembers asked for clarification from Mr. Parmar on the building heights of the other buildings in the proposed development and a presentation of the proposed request to all the surrounding neighborhoods and any objections or concerns express following the presentation.

Councilmember Prickett made a motion to approve the Third Amendment to the 2013 Amended and Restated Development Agreement by and Between Kiawah Resort Associates and Town of Kiawah Island, affecting Parcel 13B Lot1. The motion was seconded by Councilmember Said and was unanimously approved.

G. Discussion of the Municipal Code Section 15-209, Fireworks and Explosives

Mayor Weaver indicated that an issue had again been raised with Town's Municipal Code on the use of fireworks. The code states that no fireworks are allowed on Kiawah unless approved by the Town at its discretion. He indicated that there had been concerns and complaints made about the noise that can bother residents as well as their pets. He noted that while there is no time for comprehensive review and recommendation by this Council, he wanted to discuss the issue to make the next Council aware of the concerns.

Mayor Weaver stated that historically the Town has approved, through a permitting process, the large community firework displays at the 4th of July and New Year's celebrations for the Resort. Over the years, there have been requests to allow professional fireworks at special occasion events such as weddings. In the past several years, an average of four to five private permits have been approved, but now areas used for the displays have been developed, and a residential community less tolerant of the fireworks' noise.

Mayor Weaver asked for direction from the Councilmembers on if they wanted to see the Town change its practice on firework displays' approval. The action could be no change, a ban on all fireworks except the Community displays, or limit the number of permits issued per year.

Councilmember Connelly indicated residents had expressed concerns about the impact of the loud noises on their pets. She agreed with Ms. Tillerson's suggestion that the Town could maybe put out a notification to alert residents about when and where the firework displays will occur.

Councilmember Prickett agreed that the issue needs to be evaluated and then considered by the next Council.

Mayor Pro Tem Widuch indicated that his current input would be that the Town is more restrictive and not less.

Councilmember Said stated that with the development of Ocean Park, the concerns with private fireworks would only increase and agreed that there should be a very small number of permits looking at the time of day along with other restrictions.

Mayor Weaver asked the Town Administrator and staff to review the current data, gather input from the organizations who are requesting permits and the impact a change would have on their business, along with more detailed input on residents' concerns and then present a set of recommendations to the next Council.

VIII. Town Administrator's Report:

Ms. Tillerson stated that the deadline for submitting letters of interest for the Municipal Court Judge vacancy expired last Friday. The Town received fourteen letters of interest. She stated that she asked Mr. Wilson and Judge Strauch to review the submissions and to create a list of candidates. The list will be passed on to the new Mayor and Council to consider and select the appointment for a new Municipal Judge.

Mr. Gottschalk indicated that a great deal of demo work had been done clearing some of the Parkway's overgrown areas. The completed work will be reviewed to ensure all contractual work has been completed and thanked the Resort and Mr. Otter for allowing the field across from the track as a staging area for the plants arriving soon. He indicated that the thought is that planting work will begin near the Mingo curve area, working down the Parkway finishing at the roundabout.

IX. Council Member:

- a. Committee Updates
- b. General Comments

Councilmember Connelly indicated that the Mayor requested her to prepare a Shark Protocol for the Town. With help from Ms. Williams and Ms. MacDonald from the Public Safety Committee, Mr. Edgerton with Beach Patrol arranged a conference call with Mr. Burke, who retired from the Florida University Museum of Natural History and is the curator emeritus of International shark attack file and an expert on sharks and their behavior. She presented the following protocol to be followed in the case of a shark sighting or attack in the Kiawah beach waters:

Kiawah Island Shark Protocol

Reporting Responsibility:

The Director of the Kiawah Island Beach Patrol and its lifeguards are responsible for monitoring the water for the presence of sharks in the swimming area. They have been trained to recognize sharks common to their area of responsibility as well as shark behavior that may be considered threatening.

They perform an assessment to determine the following:

1. The location of the shark and the type of movement
2. The distance to the shore and swimming are
3. Whether the persons involved in aquatic activity should be advised to leave the water.

If Beach Closing is appropriate:

1. The Beach Patrol advises swimmers to leave the water until such time that the immediate threat appears to have abated. Since shark behavior is unpredictable, this may involve a fixed period of time until it can be determined that the threat is over.
2. The Director makes a determination regarding notification of the Mayor and the Town Administrator.

The Case of Shark Bites/Shark Attacks

1. The Beach Patrol will follow the agency's overall emergency response plans and any specific plans that may exist for shark bites. 911 is notified.
2. The Mayor and the Town Administrator are notified
3. The Town Administrator will notify the Town Communications Director

Councilmember Prickett reported that the *Planning Commission* would be holding a meeting tomorrow. He also reported that the *Arts and Cultural Events Council* is evaluating potential programs 90-days in advance to determine if a performance will be cancelled.

Mayor Pro Tem Widuch complemented Ms. Szubert on the excellent report and thanked her and Ms. Tillerson for their work.

X. Citizens' Comments:

Mr. Jerry Lander – 104 Surfscoter Lane

Mr. Lander questioned the Short-Term Rental (STR) regulations regarding the parking of bicycles on his property. The STR regulations state that bicycles must be out of sight from sunset to sunrise on rental homes only but not for full-time residents. Mr. Lander stated that an inquiry with the Town received a prompt response and explanation from the compliance clerk and an inspector sent to walk the property. The inspector noted that the property had no other place that bicycles could be parked out of sight.

Mr. Lander expressed his opinion that the current regulations that only apply to those who rent their homes are too strict. He also indicated that the Town's regulations were discriminatory when full-time residents are not subjected to the fines. He asked that Council consider looking at the regulations.

XI. Adjournment:

Mayor Pro Tem Widuch motioned to adjourn the meeting at 6:02 pm. The motion was seconded by Councilmember Connelly and carried unanimously.

Submitted by,

Petra S. Reynolds, Town Clerk

Approved by,

Craig E. Weaver, Mayor

Date



Tab | 2

TOWN COUNCIL

Agenda Item

Adaptive Management Plan for Kiawah Island

Phase I- Threshold Identification

November 2020



Report Prepared by the Adaptive Management Task Force

Lucas Hernandez, Chair
James Chitwood
Jack Kotz
Diana Mezzanotte
Cathy Pumphrey
David Pumphrey
John Taylor



Tab | 3

TOWN COUNCIL

Agenda Item

Changes from the FY2021 Budget Amendment First Reading presented at TC on 11/3/20:

1. Add salaries for the Mayor, Council members and the Judge for the 6 months 1/1/2021 to 6/30/2021. An increase of \$14K.
2. Adjust increase in the Town's contributions from 50% to 100% to optional deferred compensation plans to reflect six-month period from 01/01/2021 to 6/30/2021. A decrease of \$10K.
3. Add repayment of the outstanding balance on GO Bond issued for the Town Hall construction. An increase of \$1,668,000.

Town of Kiawah Island

ORDINANCE 2020-12

AN ORDINANCE TO AMEND THE FISCAL YEAR 2020-2021 BUDGET FOR THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA (7/1/20 THROUGH 6/30/21)

WHEREAS, the Town of Kiawah Island adopted Ordinance 2020-05 on June 9, 2020, in accordance with Section 5-7-260 of the South Carolina Code of Laws, 1976, as amended; and

WHEREAS, Ordinance 2020-05 established the 2020-2021 Fiscal Year Budget (FY 20-21 Budget) so as to guide and direct the Town's receipt and expenditure of revenues during this time period; and

WHEREAS, certain adjustments in expenditures now necessitate amendments to the FY 20-21 Budget; and

WHEREAS, the Town of Kiawah Island held a public hearing on the 3rd day of November 2020 as required by state law.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COUNCIL OF THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF SAID COUNCIL.

Section 1. Purpose.

This Ordinance is adopted to amend the Town of Kiawah Island's FY 20-21 Budget with respect to the General Fund, County Accommodation Tax Fund, Local Accommodation Tax Fund, and Capital Fund was established in Ordinance 2020-05.

Section 2. Amendment of the Fiscal Year 2020-2021 Budget for the Town of Kiawah Island, South Carolina.

By passage of this Ordinance, the Town of Kiawah Island amends its FY 20-21 Budget with respect to General Fund expenditures, County Accommodation Tax , Local Accommodation Tax Fund, and Capital Fund as established in Ordinance 2020-05 in the manner set forth in "Exhibit A Pages 1-2," incorporated fully herein by reference, said amendments are subject to all terms and restrictions set forth in the Kiawah Island Municipal Code.

Section 3. Severability.

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such part had not been included. If said Ordinance, or any provision thereof, is held to be inapplicable to any person, group of

persons, property, kind of property, circumstances, or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property, or circumstances.

Section 4. Effective Date and Duration.

This Ordinance shall be effective upon its enactment by the Town Council for the Town of Kiawah Island.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND ON THIS 1st DAY OF DECEMBER 2020.

Craig Weaver, Mayor

Petra Reynolds, Town Clerk

First Reading: November 3, 2020

Public Hearing: November 3, 2020

Second Reading: December 1, 2020

Town of Kiawah Island

Proposed Budget Amendment to FY2021

All Funds Consolidated

Cash Basis

Exhibit "A"

	Approved Budget FY2021	Proposed Amendment	Change
Revenues:			
Building Permits	664,493	\$ 664,493	\$ -
Building Permits/Special Projects	-	-	-
Business Licenses	2,267,184	2,267,184	-
Franchise Fees	856,184	856,184	-
Local Option tax	472,073	602,567	130,494
State ATAX	1,356,025	1,688,275	332,250
Local ATAX	734,510	858,938	124,428
County ATAX	-	-	-
Hospitality Tax	411,357	457,985	46,628
Solid Waste Fees	600,000	600,000	-
Interest	312,500	140,000	(172,500)
Other	160,000	160,000	-
Total Revenue	7,834,325	8,295,626	461,301
Expenses:			
Salaries	1,273,140	1,287,140	(14,000)
Overtime	3,500	3,500	-
Benefits	380,376	390,376	(10,000)
Payroll Tax	125,543	125,543	-
Employee Subtotal	1,782,559	1,806,559	(24,000)
Public Safety/Payroll and Related Cost/ Off Duty Deputies	439,014	439,014	-
Public Safety/CCSO Contract	345,880	345,880	-
STR Code Enforcement	288,580	288,580	-
Utilities & Supplies	265,343	265,343	-
Advertising	4,500	4,500	-
Communications	51,820	51,820	-
Waste Management	1,034,080	1,034,080	-
Insurance	140,556	140,556	-
Professional Services	111,000	111,000	-
Consultants	61,500	161,500	(100,000)
Maintenance	453,160	469,145	(15,985)
Travel & Training	53,300	53,300	-
Rentals	41,000	41,000	-
Tourism & Recreations	1,507,172	1,523,572	(16,400)
Contributions	150,000	150,000	-
Other	246,945	246,945	-
Capital Outlay:			
Infrastructure and Landscaping	500,000	500,000	-
Vehicles	-	-	-
Other	-	66,544	(66,544)
Debt Service	357,916	2,025,916	(1,668,000)
Total Expenses	7,834,325	9,725,254	(1,890,929)
<u>Net Changes in Fund Balance</u>	<u>\$ 0</u>	<u>\$ (1,429,628)</u>	<u>\$ (1,429,628)</u>

TOWN OF KIAWAH ISLAND
BUDGET AMENDMENT PROPOSAL FOR YEAR ENDED 6/30/21
ALL FUNDS

Exhibit "A"

	2020-2021 Budget									
	General Fund Budget	State Accom Tax Fund Budget	County Accom Tax Fund Budget	Local Accom Tax Fund Budget	Beverage Tax Fund Budget	Hospitality Tax Fund Budget	Victims Assist Fund Budget	Arts and Cultural Events	Capital Fund Budget	Total Funds Budget
Revenues & Other Sources :										
Accommodations Tax	\$ 110,920	\$ 1,577,355	\$ -	\$ 858,938	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,547,213
Hospitality Tax	-	-	-	-	-	457,985	-	-	-	457,985
Aid to subdivisions	35,000	-	-	-	-	-	-	-	-	35,000
Zoning Permits	10,000	-	-	-	-	-	-	-	-	10,000
Business License Revenue	2,267,184	-	-	-	-	-	-	-	-	2,267,184
Building Permits	664,493	-	-	-	-	-	-	-	-	664,493
Building Permits/Special Projects	-	-	-	-	-	-	-	-	-	-
Local Option Sales Tax	602,567	-	-	-	-	-	-	-	-	602,567
Franchise Fee - Electric	416,184	-	-	-	-	-	-	-	-	416,184
Franchise Fee -Beach	300,000	-	-	-	-	-	-	-	-	300,000
Franchise Fee - Other	140,000	-	-	-	-	-	-	-	-	140,000
Fines & Forfeitures	25,000	-	-	-	-	-	10,000	-	-	35,000
Interest Revenue	50,000	10,000	10,000	30,000	-	25,000	-	-	15,000	140,000
Solid Waste Collections	600,000	-	-	-	-	-	-	-	-	600,000
Beverage Tax / Permits	-	-	-	-	45,000	-	-	-	-	45,000
Miscellaneous Revenue	35,000	-	-	-	-	-	-	-	-	35,000
Transfers In	-	-	-	-	-	-	-	243,795	2,534,263	2,778,058
Total Revenues & Other Sources	5,256,348	1,587,355	10,000	888,938	45,000	482,985	10,000	243,795	2,549,263	11,073,684
Expenditures & Uses :										
Salary and Benefits/Regular Employees	1,585,778	-	-	138,386	-	-	-	82,395	-	1,806,559
Salary and Benefits/Deputies	57,014	191,000	-	191,000	-	-	-	-	-	439,014
Public Safety/CCSO Contract	47,837	-	-	298,043	-	-	-	-	-	345,880
STR Code Enforcement	288,580	-	-	-	-	-	-	-	-	288,580
Utilities & Supplies	211,305	-	40,000	2,500	-	91,750	-	3,000	-	348,555
Advertising	4,500	-	-	-	-	-	-	-	-	4,500
Communication	51,820	-	-	-	-	-	-	-	-	51,820
Waste Management	949,200	-	30,000	54,880	-	-	-	-	-	1,034,080
Printing	38,750	-	-	-	-	-	-	-	-	38,750
Professional Services	111,000	-	-	-	-	-	-	-	-	111,000
Consulting	161,500	-	-	-	-	-	-	-	-	161,500
Maintenance	284,495	-	26,900	6,750	-	151,000	-	-	-	469,145
Insurance	140,556	-	-	-	-	-	-	-	-	140,556
Travel & Training	53,300	-	-	-	-	-	-	-	-	53,300
Rentals	41,000	-	-	-	-	-	-	-	-	41,000
Tourism Related Cost	-	920,307	440,865	7,000	-	-	-	155,400	-	1,523,572
Contributions	150,000	-	-	-	-	-	-	-	-	150,000
Capital Outlay	59,000	-	-	208,333	-	216,000	-	-	-	483,333
Other	175,195	-	-	-	-	-	10,000	3,000	-	188,195
Contingency	20,000	-	-	-	-	-	-	-	-	20,000
Debt Service	-	-	-	-	-	-	-	-	2,025,916	2,025,916
Transfers Out	2,071,256	-	-	482,139	50,000	174,663	-	-	-	2,778,058
Total Expenditures & Uses	6,502,086	1,111,307	537,765	1,389,031	50,000	633,413	10,000	243,795	2,025,916	12,503,313
Change in Fund Balance	(1,245,737)	476,048	(527,765)	(500,093)	(5,000)	(150,428)	-	(0)	523,347	(1,429,629)
Fund Balance Beginning of Year	11,737,538	213,708	1,302,358	1,133,807	23,974	1,185,538	21,150	-	4,907,385	20,525,458
Fund Balance End of Year	\$ 10,491,801	\$ 689,756	\$ 774,593	\$ 633,714	\$ 18,974	\$ 1,035,110	\$ 21,150	\$ (0)	\$ 5,430,732	\$ 19,095,829



Tab | 4

TOWN COUNCIL

Agenda Item

THE TOWN OF KIAWAH ISLAND

ORDINANCE 2020-13

**AN ORDINANCE TO SET THE SALARIES FOR THE MAYOR AND COUNCIL MEMBERS
OF THE TOWN OF KIAWAH ISLAND**

WHEREAS, South Carolina Code § 5-7-170 and the Town of Kiawah Island Municipal Code Section 2-206(a) require that the salaries of the Mayor and Council Members of the Town of Kiawah Island shall be determined by Council and fixed by ordinance; and

WHEREAS, South Carolina Code § 5-7-170 and the Town of Kiawah Island Municipal Code Section 2-206(a) require that any increase in salary shall not become effective until the commencement date of the terms of two or more members of council elected at the next general election following the adoption of the ordinance setting the salaries, at which time it will become effective for the mayor and for all members of council whether or not they were elected in such election; and

WHEREAS, the Town Council for the Town of Kiawah Island has decided it is appropriate to set the salaries for the mayor and council members following the next election;

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COUNCIL OF THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF SAID COUNCIL.

Section 1 **Ordinance (Not Codified)**

The salaries of the Mayor and Council Members of the Town of Kiawah Island shall be set by this ordinance as follows:

Mayor \$8,000 per year

Council Members \$4,000 per year

These salaries shall be paid as monthly stipends, and the Mayor and Council Members are not considered employees of the Town and are not entitled to any employee benefits, including health insurance, offered by the Town to its employees.

Section 2 **Severability**

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind property, circumstances or set of circumstances, such holding shall not affect the circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances

Section 3**Effective Date and Duration**

This ordinance shall become effective on the commencement date of the terms of two or more members of council elected at the next general election following the adoption of this ordinance and shall be effective for the mayor and all members of council at that time.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND ON THIS 1ST DAY OF DECEMBER 2020.

Craig Weaver, Mayor

Petra S. Reynolds, Town Clerk

1st Reading: November 3, 2020

2nd Reading: December 1, 2020



Tab | 5

TOWN COUNCIL

Agenda Item

TOWN OF KIAWAH ISLAND

Ordinance 2020-14

AN ORDINANCE TO AMEND ARTICLE 14, GENERAL REGULATIONS, CHAPTER 1, FLOOD DAMAGE PREVENTION, DIVISION 1 - GENERAL STANDARDS, DIVISION 2 – ADMINISTRATION AND ENFORCEMENT, AND DIVISION 3 - PROVISIONS FOR FLOOD HAZARD REDUCTION.

WHEREAS, the Town of Kiawah Island Municipal Code currently contains Article 14, General Regulations, Chapter 1, Flood Damage Prevention; and

WHEREAS, the Town Council believes that it is appropriate to amend Division 1, General Standards, Section 14-114, Basis For Establishing The Areas Of Special Flood Hazard to add an exception to the recently adopted flood insurance rate map, dated January 29, 2021, to address concerns raised by the new flood insurance rate map; and

WHEREAS, the Town Council wishes to amend Chapter 1 – Flood Damage Prevention to adopt this exception and correct typographical errors.

NOW, THEREFORE, BE IT, AND IT HEREBY IS, RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA, AS FOLLOWS:

SECTION 1 **Purpose**

The purpose of this Ordinance is to amend Article 14, General Regulations, Chapter 1, Flood Damage Prevention, Division 1, Sections 14-114, and 14-115, Division 2, Section 14-131(b)(5), (6), (8), (9), and (11), Division 3, Section 14-170, Section 14-175, Section 14-175(2), Section 14-177 and Section 14-178(4).

SECTION 2 **Ordinance**

Article 14 - General Regulations, Division 1 - General Standards, Section 14-114 - Basis for Establishing the Areas of Special Flood Hazard, shall be amended with addition of the Exception as follows:

The areas of special flood hazard identified by the federal emergency management agency in its flood insurance rate map (FIRM), dated January 29, 2021, with accompanying maps and other supporting data that are adopted by reference and declared to be a part of this chapter.

Exception: All new construction plans and construction of single-family dwellings, multi-family dwellings, and commercial buildings shall adhere to the more restrictive of the base flood elevations established in the FIRM dated November 17, 2004 or the FIRM date January 29, 2021.

Article 14 - General Regulations, Division 1 - General Standards, Section 14-115 – Definitions shall be amended with addition of the new definition for North American Vertical Datum of 1988 (NAVD 88):

National American Vertical Datum of 1988 is a vertical datum established in 1991 by the minimum constraint adjustment of the Canadian-Mexican-United States leveling observations.

Article 14, General Regulations, Division 2, Administration and Enforcement, shall correct typographical errors as follows:

Section 14-131(b)(5) - Verifying and recording the actual elevation, in relation to mean sea level, of the lowest floor, of all new or substantially improved structures, in accordance with section ~~14-32(b)(2)~~ **14-132(b)(2);**

Section 14-131(b)(6) - Verifying and recording the actual elevation, in relation to mean sea level, to which the new or substantially improved structures have been floodproofed, in accordance with section ~~14-32(b)(2)~~ **14-132(b)(2);**

Section 14-131(b)(8) - In coastal high hazard areas, the building official shall review plans for adequacy of breakaway walls in accordance with section ~~14-73(7)~~ **14-173(h);**

Section 14-131(b)(9) - When floodproofing is utilized for a particular structure, the official shall obtain certification from a registered professional engineer or architect, in accordance with section ~~14-32(d)(2)~~ **14-132(b)(2);**

Section 14-131(b)(11) - When base flood elevation data or floodway data have not been provided in accordance with section ~~14-14~~ **14-114**, the official shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer the provisions of chapter 3, division 2 of this chapter; and

Article 14 - General Regulations, Division 3 - Provisions for Flood Hazard Reduction shall correct typographical errors as follows:

Section 14-170(a)(2) - Pool pumps and associated pool equipment shall be exempt from meeting the requirements of subsection ~~14-70(c)~~ **14-170(c);**

Section 14-175 - Located within the areas of special flood hazard established in section ~~14-14~~ **14-114**, where small streams exist but where no base flood data have been provided or where no floodways have been provided, the following provisions apply:

Section 14-175(2) - New construction or substantial improvements of structures shall be elevated or floodproofed to elevations established in accordance with section ~~14-31(b)(11)~~ **14-166(a) and or section 14-166(b).**

Section 14-177 - Located within the areas of special flood hazard, as established in section ~~14-14~~ **14-114**, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions apply:

Article 14 - General Regulations, Division 3 - Provisions for Flood Hazard Reduction, Section 14-178 – Elevated Buildings shall be amended as follows:

Section 14-178(4) – Exception: Non-structural partitioning is acceptable provided these areas are engineered to diminish the effects of hydrostatic forces by the use of hydrostatic flood vents. This exception shall not apply to properties designated on a FEMA FIRM map as "V" zone **and or any property designated as an area of Limit of Moderate Wave Action (LIMWA), and or a Coastal A zone.** Properties designated as V-zones shall be permitted to have a maximum of 300 square feet of an enclosure with an engineered designed breakaway wall system to be utilized for storage, any other enclosures are prohibited. Exception: Elevator shafts are excluded from this requirement.

SECTION 3 Severability

If any part of this Ordinance is held unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

SECTION 4 Effective Date and Duration

This Ordinance shall be effective upon its enactment by Town Council for the Town of Kiawah Island.

PASSED, APPROVED, AND ADOPTED BY COUNCIL FOR THE TOWN OF KIAWAH ISLAND ON THIS ____ DAY OF _____ 2021.

Mayor

Petra S. Reynolds, Town Clerk

First Reading Approval:

Second Reading Approval:



Tab | 6

TOWN COUNCIL

Agenda Item

THE TOWN OF KIAWAH ISLAND

RESOLUTION 2020-06

A RESOLUTION AUTHORIZING THE MAYOR OF THE TOWN OF KIAWAH ISLAND TO EXECUTE AN EASEMENT AGREEMENT BY WHICH HAULOVER CREEK DEVELOPMENT COMPANY, LLC, IS DEEDING A LANDSCAPE, RECREATION AND UTILITY EASEMENT TO THE TOWN OF KIAWAH ISLAND

WHEREAS, the Town of Kiawah Island and Haulover Creek Development Company, LLC, (“Haulover Creek”) have previously entered a Memorandum of Understanding which, among other things, included an agreement that Haulover Creek would donate a right of way to the Town to replace area lost by the Town due to the construction of turn lanes onto Haulover Creek’s property known as the “Andell Tract;” and

WHEREAS, the Town and Haulover Creek have negotiated and agreed upon an Easement Agreement, attached, memorializing the donation of an easement to satisfy Haulover Creek’s obligations under the Memorandum of Understanding;

NOW, THEREFORE, BE IT ORDERED AND RESOLVED BY THE COUNCIL OF THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA, AND IT IS RESOLVED BY THE AUTHORITY OF SAID COUNCIL.

Section 1 **Resolution**

The Mayor of the Town of Kiawah Island is hereby authorized to enter and execute an Easement Agreement, attached hereto, with Haulover Creek whereby Haulover Creek grants the Town a landscape, recreation and utility easement over, through and across the Andell Tract.

In addition, the Mayor is authorized to enter and execute any additional documentation required to effectuate the Easement Agreement.

Section 2 **Effective Date and Duration**

This resolution shall become effective on the date of passage of the resolution.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND ON THIS 1ST DAY OF DECEMBER 2020.

Craig Weaver, Mayor

Petra S. Reynolds, Town Clerk

STATE OF SOUTH CAROLINA)
) EASEMENT AGREEMENT
COUNTY OF CHARLESTON)

This Easement Agreement made this 1st day of December, 2020, by and between The Town of Kiawah Island (“Town”) and Haulover Creek Development Company, LLC, a Virginia limited liability company (“Haulover”), collectively referred to herein as the “Parties.”

WITNESSETH

WHEREAS, Haulover is the record owner of that certain parcel of land commonly referred to as the Andell Tract, a portion of which is more specifically shown and depicted as “TMS # 205-00-00-005 N/F HAULOVER CREEK DEVELOPMENT” on that certain plat prepared by Joseph L. McIntyre, P.L.S., S.C. Reg. # 15513, entitled “PLAT OF A PROPOSED VARIABLE WIDTH LANDSCAPE, RECREATION AND UTILITY EASEMENT PREPARED FOR THE TOWN OF KIAWAH ISLAND LOCATED IN THE TOWN OF KIAWAH ISLAND CHARLESTON COUNTY, SOUTH CAROLINA, “dated September 9, 2020, and recorded in Plat Book L20 at Page 0406, ROD Office for Charleston County (the “Plat”), attached hereto as Exhibit A, incorporated herein by reference; and

WHEREAS, the Town, with the approval of Haulover, has constructed turn lanes on Kiawah Island Parkway leading to the Andell Tract; and

WHEREAS, Haulover, in return for the Town’s loss of a fifteen foot right of way due to the construction of the turn lanes, has agreed and desires to grant Town a landscape, recreation and utility easement over, through and across the Andell Tract as shown and designated as “PROPOSED VARIABLE WIDTH LANDSCAPE, RECREATION (BIKE AND PEDESTRIAN) & UTILITY EASEMENT 7507 SF 0.172 ACRE” on the Plat (the “Easement”); and

WHEREAS, the Town shall be obligated for the maintenance, repair, and upkeep of the Easement; and

NOW THEREFORE, in consideration of the premises and the further sum of Ten and No/100 Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, the Parties hereto agree as follows:

1. The recitals set forth above are true and correct and incorporated herein by reference.
2. Haulover hereby grants to Town, and its respective assigns and/or successors in title, a permanent, perpetual, and appurtenant easement over, through and across the Andell Tract for purposes of landscaping, recreation, and utilities, as specifically shown and designated as “PROPOSED VARIABLE WIDTH LANDSCAPE, RECREATION (BIKE AND

PEDESTRIAN) & UTILITY EASEMENT 7507 SF 0.172 ACRE” on the Plat attached hereto as Exhibit “A..”

3. The Town shall be responsible for the maintenance, repair, and upkeep of the Easement.
4. This agreement shall be binding on the parties and their heirs, successors, administrators, and assigns.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the date first above written.

WITNESSES:

TOWN OF KIAWAH ISLAND:

Witness #1

By: _____(Seal)
Craig Weaver, Mayor

Witness #2 (can be notary)

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this 1st day of December, 2020,
by **Craig Weaver, Mayor for the Town of Kiawah Island.**

SWORN to and subscribed before me
this 1st day of December, 2020

_____(L.S.)
Notary Public for the State of South Carolina
My Commission Expires: 01-29-2023

WITNESSES:

HAULOVER CREEK DEVELOPMENT, LLC:

Witness #1

By: _____(Seal)
James A. Jones, Manager

Witness #2 (can be notary)

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

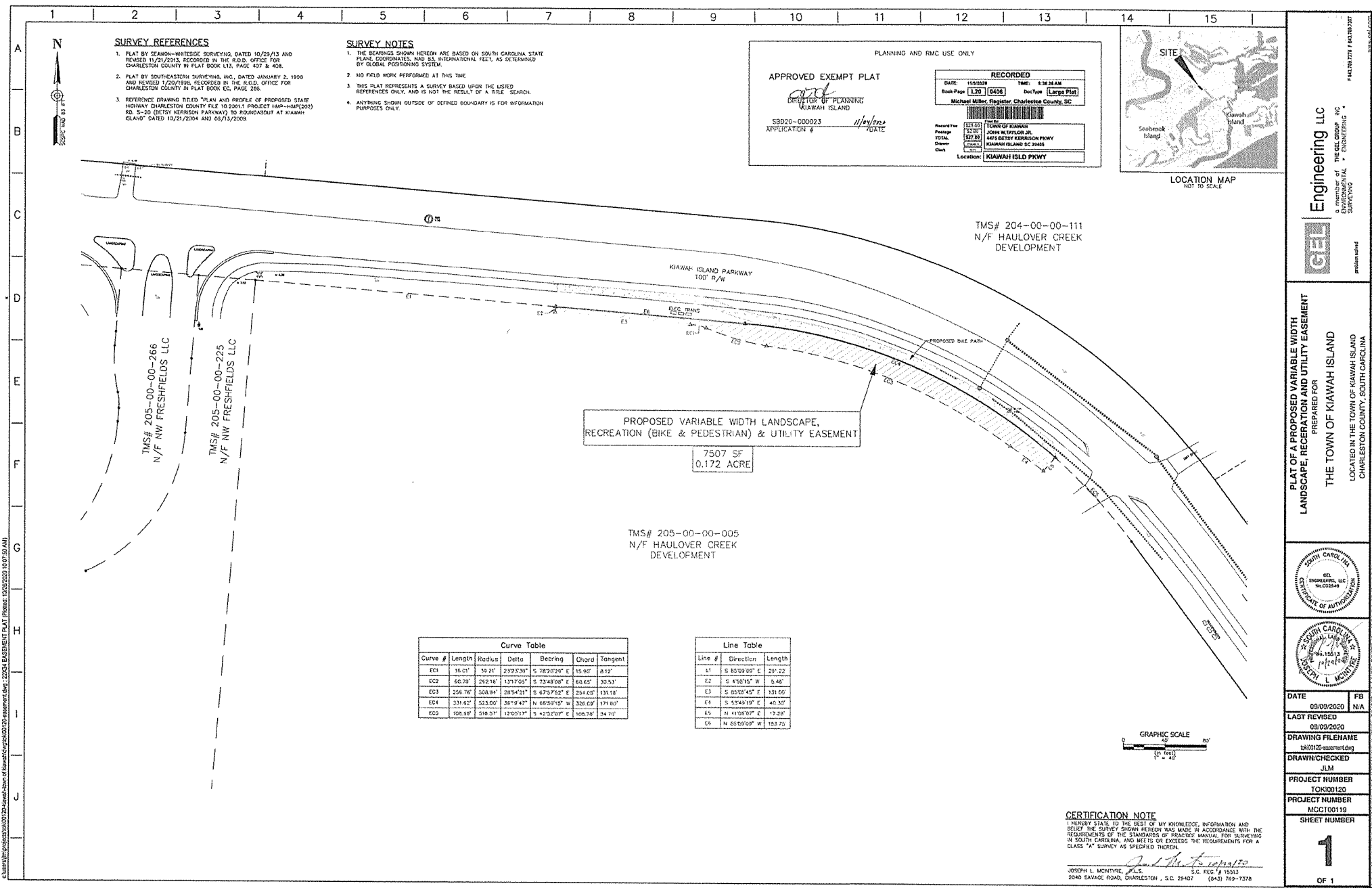
ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this ____ day of November, 2020,
by **James A. Jones, Manager of Haulover Creek Development, LLC.**

SWORN to and subscribed before me
this ____ day of _____, 2020.

_____(L.S.)
Notary Public for the State of South Carolina
My Commission Expires: _____

Exhibit A



SURVEY REFERENCES

1. PLAT BY SEANON-WHITEHEAD SURVEYING, DATED 10/29/13 AND REVISED 11/21/2013, RECORDED IN THE R.D.D. OFFICE FOR CHARLESTON COUNTY IN PLAT BOOK L13, PAGE 407 & 408.
2. PLAT BY SOUTHEASTERN SURVEYING, INC., DATED JANUARY 2, 1990 AND REVISED 1/20/1998, RECORDED IN THE R.D.D. OFFICE FOR CHARLESTON COUNTY IN PLAT BOOK EC, PAGE 266.
3. REFERENCE DRAWING TITLED "PLAN AND PROFILE OF PROPOSED STATE HIGHWAY CHARLESTON COUNTY FILE 10 2001.1 PROJECT (H&P-H&P2003) RD. 5-20 (BETSY KERRISON PARKWAY) TO ROUNDABOUT AT KIWAH ISLAND" DATED 10/21/2004 AND 05/13/2008.

SURVEY NOTES

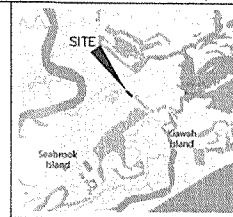
1. THE BEARINGS SHOWN HEREON ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATES, NAD 83, INTERNATIONAL FEET, AS DETERMINED BY GLOBAL POSITIONING SYSTEM.
2. NO FIELD WORK PERFORMED AT THIS TIME.
3. THIS PLAT REPRESENTS A SURVEY BASED UPON THE LISTED REFERENCES ONLY, AND IS NOT THE RESULT OF A TITLE SEARCH.
4. ANYTHING SHOWN OUTSIDE OF DEFINED BOUNDARY IS FOR INFORMATION PURPOSES ONLY.

APPROVED EXEMPT PLAT

DIRECTOR OF PLANNING
KIWAH ISLAND
SBD20-000023
APPLICATION #
11/24/2023
DATE

PLANNING AND RMC USE ONLY

RECORDED	
DATE: 11/20/2023	TIME: 9:38:34 AM
Book Page: L20 0406	DocType: [Large Plat]
Michael Miller, Register, Charleston County, SC	
[Stamp]	
Recording Fee: \$25.00	TOWN OF KIWAH
Package: \$27.00	JOHN W. TAYLOR JR.
TOTAL: \$52.00	1461 BETSY KERRISON PKWY
Driver: [Blank]	KIWAH ISLAND SC 29455
Client: [Blank]	Location: KIWAH ISLAND PKWY



LOCATION MAP
NOT TO SCALE

PROPOSED VARIABLE WIDTH LANDSCAPE,
RECREATION (BIKE & PEDESTRIAN) & UTILITY EASEMENT

7507 SF
0.172 ACRE

Curve Table						
Curve #	Length	Radius	Delta	Bearing	Chord	Tangent
EC1	16.21'	33.21'	272°3'38"	S 78°50'29" E	15.90'	8.12'
EC2	46.73'	262.16'	137°17'04"	S 73°48'08" E	68.65'	30.53'
EC3	258.76'	328.94'	28°54'21"	S 67°57'52" E	294.05'	131.18'
EC4	331.42'	513.00'	36°19'47"	N 68°59'18" W	326.09'	171.80'
EC5	108.98'	318.57'	12°05'13"	S 42°22'10" E	108.78'	54.70'

Line Table		
Line #	Direction	Length
L1	S 82°09'00" E	29.22'
L2	S 4°56'15" W	5.44'
L3	S 85°01'45" E	331.69'
L4	S 15°40'19" E	40.50'
L5	N 11°08'50" E	12.28'
L6	N 85°09'08" W	183.75'



CERTIFICATION NOTE

I, PERMY STATE, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

JOSEPH L. MONTYME, S.C. REG. # 15513
2040 SAVAGE ROAD, CHARLESTON, S.C. 29407 (843) 769-7378

Engineering LLC
a member of
THE GEL GROUP, INC.
SURVEYING
ENGINEERING

PLAT OF A PROPOSED VARIABLE WIDTH
LANDSCAPE, RECREATION AND UTILITY EASEMENT
PREPARED FOR
THE TOWN OF KIWAH ISLAND
LOCATED IN THE TOWN OF KIWAH ISLAND
CHARLESTON COUNTY, SOUTH CAROLINA



DATE	09/09/2020	FB	N/A
LAST REVISED	09/09/2020		
DRAWING FILENAME	td\01120-exempt.plt		
DRAWN/CHECKED	JLM		
PROJECT NUMBER	10000150		
PROJECT NUMBER	MCCT00119		
SHEET NUMBER	1		



Tab | 7

TOWN COUNCIL

Agenda Item

THE TOWN OF KIAWAH ISLAND

RESOLUTION 2020-07

**A RESOLUTION AUTHORIZING THE REDEMPTION OF THE GENERAL OBLIGATION BOND ISSUED BY
THE TOWN OF KIAWAH ISLAND ON OCTOBER 12, 2016**

WHEREAS, on October 12, 2016, the Town of Kiawah Island (the “Town”) issued a general obligation bond, designated as “Town of Kiawah Island, South Carolina General Obligation Bond, Series 2016,” (hereinafter the “Bond”) in the the principal amount of \$3,000,000 which was sold to and is currently held by The Bank of South Carolina in order to defray the cost of constructing a new Town Hall for the Town; and

WHEREAS, the Town has made semiannual payments of interest and annual payments of principal on the Bond since its issuance, and the current outstanding principal balance of the Bond is \$1,668,000; and

WHEREAS, the Bond is subject to redemption at the option of the Town at a redemption price of the outstanding par amount of the Bond plus accrued interest to the redemption date; and

WHEREAS, the Town has determined that it is financially able to pay the outstanding balance in full on the Bond early, and further that paying the full balance owed on the Bond is in the Town’s best interests;

NOW, THEREFORE, BE IT ORDERED AND RESOLVED BY THE COUNCIL OF THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA, AND IT IS RESOLVED BY THE AUTHORITY OF SAID COUNCIL.

Section 1 **Resolution**

The Town Council of the Town hereby authorizes the redemption of the Bond and payment of all amounts due and owing thereunder, including the outstanding principal amount of \$1,668,000 and the interest accrued thereon to the redemption date.

In addition, each of the Mayor of the Town and the Administrator of the Town is hereby authorized to deliver the required redemption notice to The Bank of South Carolina and to enter and execute any agreements or other documents to effectuate the redemption of the Bond.

Section 2 **Effective Date and Duration**

This resolution shall become effective on the date of passage of the resolution.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND ON
THIS 1ST DAY OF DECEMBER 2020.**

Craig Weaver, Mayor

Petra S. Reynolds, Town Clerk



Tab | 8

TOWN COUNCIL

Agenda Item

THE TOWN OF KIAWAH ISLAND

RESOLUTION 2020-08

A RESOLUTION REGARDING NOISE GENERATED BY EMERGENCY REPAIR OPERATIONS

WHEREAS, Town of Kiawah Island Code of Ordinances Section 15-306 governs “Prohibited Noise” but does not address noise generated by emergency construction or repair measures necessary to safe guard or restore public or private utilities to a safe condition; and

WHEREAS, Town Council wishes to address noise generated by emergency construction or repair operations while it considers a more permanent change to Section 15-306; and

WHEREAS, the Town and Town staff have inherent legal discretion regarding whether to “prosecute” or otherwise issue citations for noise generated by emergency construction;

NOW, THEREFORE, BE IT ORDERED AND RESOLVED BY THE COUNCIL OF THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA, AND IT IS RESOLVED BY THE AUTHORITY OF SAID COUNCIL.

Section 1 **Resolution**

The Town Council for the Town of Kiawah Island hereby resolves and authorizes the Town Administrator to address any noise complaints arising from emergency construction or repair measures necessary to safe guard or restore public or private utilities within Town limits, or to protect persons or property from imminent danger, or in preparation for or following a fire, accident or natural disaster, such as a hurricane. Town Council authorizes and confirms the Town Administrator’s authority to exercise the Town’s discretion to not issue citations for alleged violations of Section 15-306 generated by such emergency construction or repair projects.

Section 2 **Effective Date and Duration**

This resolution shall become effective on the date of passage of the resolution.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND ON THIS ____ DAY OF _____, 2020.

Craig Weaver, Mayor

Petra S. Reynolds, Town Clerk



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TOWN COUNCIL

Agenda Item



Projects Proposal to the Town of Kiawah Island

FY 2020-2021

September 2020

Revised November 20, 2020

Kiawah Conservancy Environmental Science Committee
(Approved September 3, 2020)

Kiawah Conservancy Executive Committee
(Reviewed)

Town of Kiawah Island Environmental Committee
(Reviewed)

Town of Kiawah Island Town Council
(Pending Review)

Groundwater Table Study Phase II

Narrative

The integrity of terrestrial barrier island ecosystems is dependent on the thickness of the vadose zone (depth to water table) and groundwater salinity levels (Masterson et al. 2014; Town of Kiawah Island, 2018). Shallow groundwater on a barrier island is characterized by a thin layer of freshwater (aka “freshwater lens”) which lies below the vadose zone and can be stratified with freshwater at the top and progressively more saline water further below. Typically, freshwater is more abundant toward the middle of the island, which creates the convex shape typical of a lens (Masterson et al., 2014). Both depth and salinity of subsurface groundwater conditions are mostly influenced by elevation, soil hydrology, and geographic location (S.C. Geological Survey, personal communication, 2020).

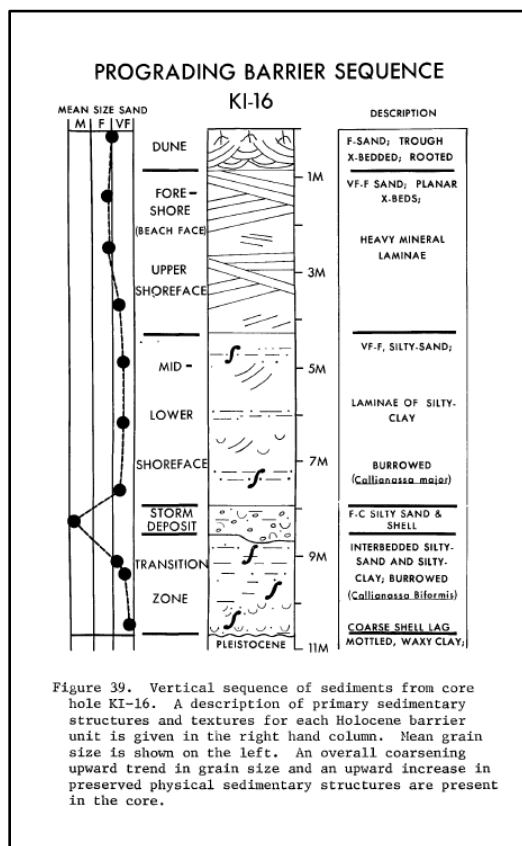
Saltwater inundation during storms, king-tide events, and gradual sea level rise will cause saltwater to slowly infiltrate and threaten the quality of groundwater by increasing salinity. Although precipitation slowly reduces salinity levels, additional pulse events and long-term pressures that introduce saltwater can increase salinity and make it difficult for ecosystems to adapt and respond. Geologists with SCDNR have suggested that live oaks respond negatively to groundwater salinity conditions around 2 parts per thousand (ppt). In comparison, water in tidal salt marshes range between 30-35ppt and soil surface conditions in the high marsh are between 0.3-3ppt (Sandifer, 1980).

Freshwater can also accumulate on the soil surface for long periods of time due to saturated soils and poor drainage, resulting in anoxic conditions within the soil. Changes in soil hydrology caused by human influences (e.g., removal of forest vegetation, backfilling, impervious surfaces, construction of flood control devices) can increase the potential for standing water and additional flooding issues. Both the increase in salinity and reduction in soil drainage capabilities could potentially lead to the die-off of forest and shrub thicket vegetation, sometimes manifesting as the transition of maritime forests into ghost forests (Kirwan and Gedan, 2019). This will greatly impact wildlife that is dependent on native vegetation found on the island. Continually studying the groundwater and mapping Kiawah’s freshwater lens will provide crucial information about the current and potential conditions of saltwater intrusion and provide better insight into the perceived impacts to the plant community.

Information about the groundwater will also provide further insight into the influence of Kiawah’s extensive pond system on the freshwater lens. Understanding the groundwater dynamics and potential impacts on native vegetation can give decision-makers objective authority for policies regarding the drainage of island ponds. The groundwater table also has the potential to fluctuate based on tidal influences and climatic conditions between seasons. Monitoring these fluctuations over time could help identify seasons and weather conditions during which the groundwater table is closest to the surface, making the island more susceptible to flooding. This would also help provide information about siting for green-infrastructure projects (e.g., rain gardens and bioretention areas), implementation of Low Impact Development (LID) practices, and habitat restoration projects that will help to improve the island’s resilience to flooding while also enhancing areas with a diminishing freshwater lens.

Groundwater Study Phase I Summary

The Kiawah Conservancy, in collaboration with the Town of Kiawah Island and College of Charleston, initiated a study in the 2019-2020 fiscal year to investigate subsurface groundwater conditions on Kiawah Island. The project was focused on obtaining baseline information on groundwater depth and salinity which would inform on methods for long-term monitoring of conditions. Since the beginning of the project, 18 monitoring wells have been installed across Kiawah Island to gain access to subsurface groundwater conditions on Kiawah Island in different site conditions. Characteristics of the soil profile were observed during the installation process. This included noting the color of the soil using a Munsell soil color book at different depths and when we encountered natural groundwater. This was used to compare information gathered during Moslow's geological characterization of Kiawah Island from 1980 (see figure 39).



Preliminary data suggests that the groundwater level remains shallow in the winter to early spring and becomes deeper as weather warms and forest vegetation production increases. Groundwater typically maintains levels around mean high water (2.5' in low depressional sites, 5.5' on high relic dune ridge sites). Data collection began in April 2020 with the use of a Solinst 107 TLC probe to record measurements of temperature, level, and conductivity during physical visits to the well sites. Measurements were taken twice a week to observe changes in groundwater depth over time.

Continuous datalogger probes (Solinst 3001 Edge) were procured in June and deployed in all installed wells in July to begin recording data. These allow for remote data collection without the presence of researchers/scientists at the well sites. Each of the dataloggers were programmed to collect data at 30-minute intervals when deployed. The majority of the dataloggers are collecting level and temperature remotely, while a handful (=5) are designated to collect temperature, level, and conductivity. A Solinst Barologger is used to compensate level data from the dataloggers (taken as pressure readings) with barometric pressure above ground. An active

barologger is centrally located at the Kiawah Conservancy office at 80 Kestrel Court to allow for valid compensation of barometric pressure for any probe within a 10-mile radius. Continuous monitoring of depth will provide information on the seasonally available groundwater for island vegetation by investigating influences from various biological and climatic elements. The combined use of dataloggers (Solinst 3001) and a tape measure probe (Solinst 107 TLC) allows for analysis of groundwater conditions at specific sites across temporal and spatial (vertical) scales.

Phase II Methodology

The next phase of the groundwater project will focus on three objectives: 1) continuing baseline data collection and further establishment of a collaborative, long-term groundwater monitoring effort, 2) understanding the relationship between pond levels and groundwater elevation, and 3) chemical analysis of groundwater.

1. *Baseline Data Collection.* There will be a focus on continuing to reach the primary objective of the groundwater project: the collection of seasonal data related to groundwater table height and salinity to establish baseline data. Wells installed and equipment procured during Phase I will be used in the second phase of the project. Baseline collection will include the continued site visits to all wells to capture static data with the Solinst 107 TLC tape measure probe and collect information from dataloggers. Data collection will continue into the fall and winter months to gather baseline information on seasonal fluctuations of the groundwater. With groundwater levels decreasing in elevation in the late spring and summer months, it is anticipated that the groundwater elevation will gradually rise in the fall and winter months. This will likely include contributions from tropical storms, extreme rainfall events, and king tides commonly experienced in the fall.

Gathering this data will help develop a general understanding of the groundwater elevation fluctuations throughout the year. This will help in resilience planning by outlining opportune times to implement green-infrastructure projects and similar mitigation efforts. Additional materials and equipment will be requested in order to facilitate data collection efforts; this includes Solinst direct read cables, Solinst LevelSender telemetry systems for select wells, and conductivity calibration solutions.

2. *Surface Water and Groundwater Relationships.* The Conservancy will consult with KICA and the College of Charleston to study the relationship between surface waters and groundwater table elevation. This will involve using data captured from the Kiawah River Tide Station to study impacts from tidal fluctuations and the deployment of temporary stations in ponds to study pond levels. Surface water levels will be compared to elevation data from monitoring wells adjacent to wetlands and ponds. Tentative data gathering efforts include deploying dataloggers in constructed stations with staff gauges located nearby to manually record surface water elevations. Methodological approaches to study the relationship between groundwater and pond levels will also be deployed. Tentative methods for capturing this data include direct observation from probing the soil and installation of shallow drive-point wells, as well as other approaches. Incorporation of climatic conditions (i.e., rainfall, humidity, temperature) would also help with the development of a water budget by determining the general flow of water resources through the local hydrological cycle
3. *Chemical Analysis.* Additional analysis of chemical composition of groundwater will provide additional insight into the influence of groundwater conditions on the ecosystem. Cations and anions from salts affect the electrical conductivity in water. The barrier island ecosystem naturally contains sodium and chlorine introduced from sea water. Other salts used in residential and commercial landscape applications on Kiawah Island can also be present and contribute to higher electrical conductivity readings. Several wells also contained groundwater with a brown tint, likely due to organic chemicals from nearby

vegetation. Understanding the general chemical composition of groundwater will provide insight into what contributes to conditions and develop methods to reduce negative impacts to maritime forest vegetation. Specific outcomes for this include determining a generalized range of salt tolerances of localized vegetation based. This data will also help with the calibration of monitoring equipment that capture conductivity.

Each of these endeavors will utilize wells installed and equipment procured during the Phase I period. Due to the lifespan of the well materials, the installed wells will continue to be used beyond the initial phases of the project for long-term monitoring efforts. Future well maintenance will consist of flushing wells with water bailers to encourage the inclusion of native groundwater and remove unnecessary contaminants that negatively influence data collection efforts. The project will also explore how to integrate data on climatic conditions with these groundwater data to begin developing a water budget.

In addition to continuing established monitoring efforts, the Conservancy will also consult with the College of Charleston to explore additional methods to understand groundwater position and soil subsurface stratigraphy.

Education and Outreach

In November 2019, the Kiawah Conservancy submitted a proposal to the National Fish and Wildlife Foundation (NFWF) to receive funds through the Emergency Coastal Resilience Fund 2019. This proposal was developed in collaboration with key personnel at the Kiawah Island Community Association, College of Charleston, and S.C. Sea Grant Consortium. NFWF announced in March 2020 that the project proposal was approved to receive \$125,924 in funding. The proposed project is directed towards an informed scenario planning process to discuss green-infrastructure and habitat restoration projects on Kiawah Island.

Much of these discussions are related to improving the resilience of Kiawah Island to natural hazards through the planning and implementation of nature-based solutions. Groundwater monitoring data from both phases will be used to inform stakeholders throughout the ECRF project timeline. During the scenario planning process, stakeholder organizations will be informed of the island's current ecological status as it relates to current monitoring efforts. This includes interview meetings, small group discussions, planning sessions, and a comprehensive event at the conclusion. Through these efforts, a consensus on specific types of appropriate nature-based solutions will be developed and used afterwards for implementation.

Additionally, the Conservancy will focus on educating the public on the importance of groundwater resources through digital education and outreach initiatives. This includes written articles and educational videos that help to illustrate data gathering efforts and the process while highlighting the importance of the study.

Outcomes

Mixed-method data gathering from well monitoring within Phase II will help determine the seasonal fluctuations in the groundwater across various conditions on Kiawah Island. This will also help create an empirically-based map of current groundwater conditions on Kiawah Island. The

map would manifest as a digital elevation model (DEM) which would be generated based on the Charleston County DEM developed by SCDNR in 2017. Depending on the variation within the data gathered, static maps will be created to reflect the seasonal fluctuations of the groundwater table between various “wet” and “dry” seasons. The maps will be shown to stakeholders for input during the ECRF project for resilience planning purposes. Ultimately, the products will aid in expediting planning processes for green-infrastructure and habitat restoration projects, provide more informed recommendations for native landscaping practices, inform on local policies related to environmental controls, and bolster collaboration between organizations on Kiawah. Chemical analysis and additional research will provide a baseline understanding of the range of salt tolerances of specific local vegetation.

Reasoning

- Vegetation on barrier islands relies on the freshwater lens found in the groundwater to remain healthy.
- Saltwater inundation during storms and king-tide events causes saltwater to slowly move inland and threaten the quality of groundwater by increasing salinity
- Saltwater inundation and intrusion into the groundwater are a threat to vegetation on the island and will affect wildlife that depend on native vegetation
- Understanding the current conditions of the freshwater lens and perceived future impacts will help prioritize management efforts to benefit the community, as well as island wildlife and vegetation

Objectives

- Monitor groundwater to provide crucial information about the current conditions of saltwater intrusion and the effects of coastal inundation on the freshwater lens
- Understand the dynamics of the groundwater table and freshwater lens as it relates to ponds, weather conditions, and the encroachment of saltwater
- Identify additional areas that are vulnerable to flooding due to groundwater influences
- Promote the use of rain gardens with native plants and other Low Impact Development practices to protect the island’s fresh groundwater reserves

Requirements and approximate costs associated or needed to accomplish this project

- Use of Kiawah Conservancy, KICA, and other properties across the island, with pre-selection of suitable sites
- ARB approval of monitoring stations
- Work with partners to share funding and supply needed expertise and equipment
- Contribute data resources for stakeholder engagement outlined in the Conservancy’s approved proposal to the Emergency Coastal Resilience Fund 2019 grant through NFWF/NOAA
- Funds necessary for carrying out Phase II of the project (\$32,000)
 - \$15,000 for installation and data collection

- \$2,000 for repairs and replacements of damaged loaned equipment from the College of Charleston
- \$15,000 for monitoring equipment (e.g., direct read cables for dataloggers, staff gauges, housings for pond monitoring stations) and sampling materials (e.g., sample collection jars, lab equipment)

Outcomes

- Better understand groundwater dynamics on barrier islands
- Have insight into the perceived impacts on the native plant community and island habitat, as well as its environmental tolerances
- Identify vulnerable areas to prioritize preservation and restoration efforts, low-impact development practices, and green-infrastructure projects.
- Enhance current modeling related to localized flooding in the community
- Provide decision-makers information necessary for determining the best practices for pond drainage to preserve the island's freshwater reserves
- Respond to the "Groundwater and Salt Intrusion" section in Town's Amended Comprehensive Plan (page V-6)
- Assist the Town in pursuing goals listed in the amended comprehensive plan by providing information about protecting natural resources and promoting community resilience:
 - Land Use goal 5
 - Natural Resources goals 2b and 4
 - Priority Investment goal 4d
 - Natural Resources goal 6a - Town funding will serve as match funds for a proposed project under the Emergency Coastal Resilience Fund 2019 that has been approved by NFWF, which has received support from federal and state partners.

Marsh Vulnerability Phase II

Overview

Sea-level rise and stormwater have the potential to greatly impact the health of salt marshes and present negative impacts on coastal communities. If salt marshes cannot accrete sediment quickly enough, or if the marshes' migration landward is blocked by physical barriers, rising water elevations will cause marsh vegetation to deteriorate and convert to mud flats. These changes would lead to cascading impacts to wildlife within the ecosystem and increase shoreline erosion by reducing the wave buffering effect which occurs in healthy marshes. Increased flow of stormwater into the marshlands from pond outflows also impacts the system. Drainage from impervious surfaces introduces pollutants (e.g., polycyclic aromatic hydrocarbons (PAHs), heavy metals) that impact marshland wildlife and vegetation downstream. Stormwater drainage runoff also increases the volumetric flow within tidal creeks that potentially contribute to erosion. Other coastal infrastructure used as erosion control devices (i.e., bulkheads and seawalls) can impede the migration of marshland onto higher ground and exacerbate erosion on adjacent areas of higher ground.

Phase I Approach and Methodology

Beginning in January 2020, the Kiawah Conservancy and the College of Charleston, through Dr. Norm Levine at the Santee Cooper GIS Laboratory and Lowcountry Hazards Center, embarked on a project to map the historical progression of marshland vegetation, current geological features, and anthropogenic infrastructure (e.g., drainage outfalls, bulkheads, docks, bridges). SCDHEC-OCRM completed a study recently (AMBUR) which modeled shoreline changes in the marsh and beachfront for the entire coast of South Carolina. However, the information from this study is coarse and lacks the regional specificity needed to identify vulnerable areas within Kiawah's marshlands. The phase I study built off of the AMBUR dataset by capturing shoreline changes in finer detail while also filling in data gaps with additional datasets.

The project primarily used ESRI ArcGIS Pro software to create a digitized map of these natural and built structures. Shoreline data was obtained by manually digitizing marsh shorelines within the mapping software from imagery at different time periods. The data layers which will be used to digitize shorelines include orthorectified imagery and Light Detection and Ranging (LiDAR) derived products. The primary source of these imagery products was the National Agriculture Imagery Program [NAIP], which are yearly orthorectified imagery gathered by USDA during the agricultural growing season. The resulting digitized shorelines will then be combined and analyzed for temporal-spatial changes to the marsh shorelines over time. In regard to selection of imagery, the imagery/raster data consists of multiple bands of electromagnetic spectral wavelengths which can be manipulated to identify characteristics within the marsh. Most datasets include 3-4 bands, while some can have up to 8 bands. Primarily, focus will be placed on data layers with near-infrared and green bands, which can be used in future studies to assess vegetative productivity and delineate plant community composition within the marsh.

Digital Elevation Models (DEMs) provided by NOAA (2017) were collected and used for improving understanding of shorelines and relative elevation. The DEM serves to provide quality assurance/quality control for the project by cross-referencing relative elevation with the digitized shorelines. This will also identify future impacts to the marsh due to sea level rise and coastal

inundation. From this project, a guidance document will be created for residents which identifies best management practices for marsh protection. The Conservancy will also be able to identify areas within the marsh which are vulnerable to changing environmental conditions and in future need of restoration projects.

The primary goals of this study were to identify areas where we are experiencing losses of marsh vegetation and to understand the current status of marshland habitat. The resulting products from this will be used to better understand the impacts to the marsh over time and identify vulnerable areas to prioritize habitat restoration projects. The end goal of the project was to provide data to include into the Town of Kiawah Island's Marsh Management Plan. The document will help in future planning processes to take actionable steps to bolster Kiawah's resilience to natural hazards, (i.e., sea-level rise and flooding) and reverse the unintended consequences of human actions. As a result of the projects, information can also be used to model, or better understand, future impacts caused by sea-level rise, flooding, and introduction of freshwater from pond outflows.

Phase II Methodology and Approach

Building onto the work currently being conducted in the first phase of the project, the second phase will provide necessary information for the planning of habitat restoration projects for future implementation. This would include gathering data relevant to recommendations provided by SCDNR to SCDHEC-OCRM in the living shorelines regulatory report released in Mid-November of 2019. Data from this study will include high boat traffic areas, wave attenuation factors of marsh vegetation, delineations of vegetated communities in the marsh, and quantify slopes of creek/riverbanks (see Figure 4.2, SCDNR, 2019). Prioritization will be placed on areas identified during the analysis of marsh shoreline changes gathered from Phase I.

Vegetative communities will be defined using the analysis of imagery in tandem with the 2017 digital elevation model of Charleston County, utilizing two methods recommended by Farris et al. (2019). Analysis of marsh vegetation can also help quantify wave attenuation factors, which provide insight into the buffering ability of marsh vegetation to storm surges and wave action from

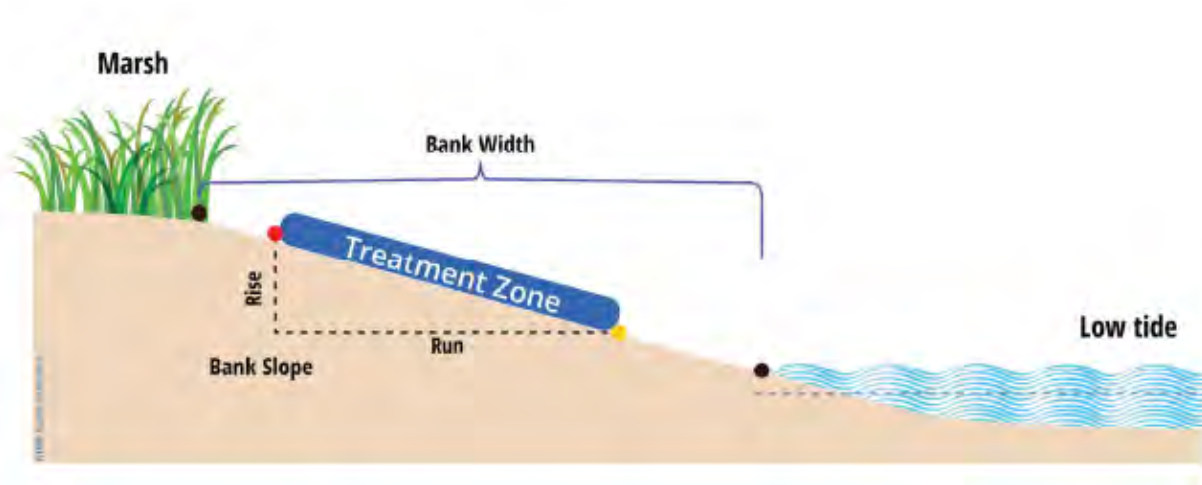


Figure 4.2. The rise over run method for calculating bank slope and determining bank width.

boats. Wave attenuation from this study will be used to compare to NOAA's Sea Level Affecting Marshes Model (SLAMM) to better understand impacts. Using the digital elevation model from 2017, the slope of the marsh will be calculated. This will help inform of the best marsh and oyster restoration designs for each area as determined by research from the SCDNR (see figure 5.1).

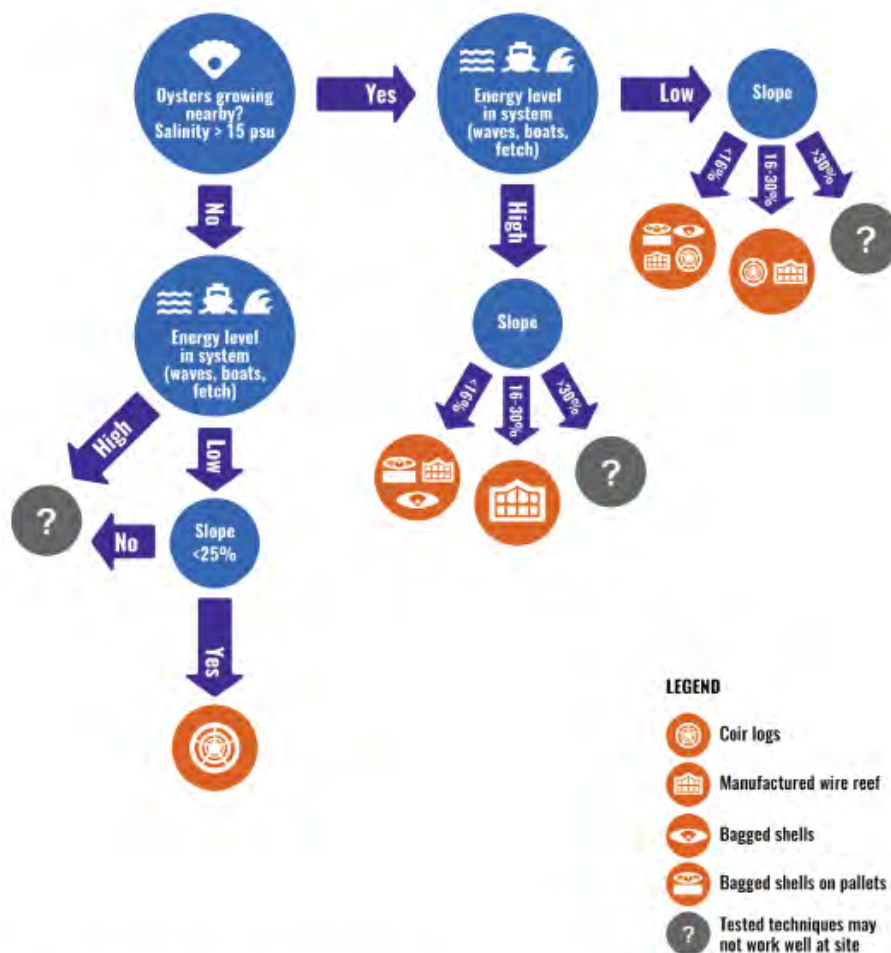


Figure 5.1. Flow chart of the conditions for which the study found successful living shoreline treatments over the course of the 1-2 years of monitoring of new sites and a single monitoring event for existing sites. The reader is referred to Section 4.0 to understand the different terms and how to measure them. Blue circles represent attributes and orange circles represent materials. In addition, bagged oyster shell should be placed on pallets if sink depth is greater than 3.94 in (10 cm; soft or very soft substrate).

Subsequent analysis can be conducted by incorporating additional data sources, such as Landsat data which can measure turbidity of open waters and identify areas where harmful algal blooms commonly occur (captured from isolating color band information reflected by different kinds of chlorophyll). Select data from the Coastal Resilience Evaluation and Siting Tool (CREST), compiled by the National Fish and Wildlife Foundation (NFWF) with human and wildlife components, will be used in conjunction with the collected and publicly available data for this project.

October Update: Researchers at the College of Charleston proposed an additional mapping product to be incorporated into the Conservancy's proposed Phase II Marsh Vulnerability Study. This product will be created using a method called unvegetated-vegetated marsh ratio (UVVR) developed by scientists at the U.S. Geological Survey with additional support by National Aeronautics and Space Administration. SCDHEC-OCRM, S.C. Department of Natural Resources, and S.C. Chapter of The Nature Conservancy are interested in conducting the marsh vulnerability analysis for the entirety of the tidal saltmarshes along the coast of South Carolina. The College of Charleston has been tasked with laying the groundwork for this analysis and have identified Kiawah Island as the pilot site for this analysis.

Education and Outreach

In November 2019, the Kiawah Conservancy submitted a proposal to the National Fish and Wildlife Foundation (NFWF) to receive funds through the Emergency Coastal Resilience Fund 2019. This proposal was developed in collaboration with key personnel at the Kiawah Island Community Association, College of Charleston, and S.C. Sea Grant Consortium. NFWF announced in March 2020 that the project proposal was approved to receive \$125,924 in funding. The proposed project is directed towards an informed scenario planning process to discuss green-infrastructure and habitat restoration projects on Kiawah Island. Much of these discussions are related to improving the resilience of Kiawah Island to natural hazards through the planning and implementation of nature-based solutions.

Marsh vulnerability mapping data from both phases will be used to inform stakeholders throughout the ECRF project timeline. Data will also be used to develop marsh and oyster habitat restoration design plans to submit to SCDHEC-OCRM and U.S. Army Corps of Engineers for implementation. Much of the recommendations will come from SCDNR's living shorelines regulatory report released in November of last year. During the scenario planning process, stakeholder organizations will be informed of the island's current ecological status as it relates to current monitoring efforts. This includes interview meetings, small group discussions, scenario planning sessions, and a comprehensive event at the conclusion. Through these efforts, a consensus on specific types of appropriate nature-based solutions will be developed and used afterwards for implementation.

Additional education and outreach activities will also be directed to the general public promoting the project and related environmental factors. The majority of this will be focused on digital web content

Outcomes

The first phase of the project was focused on gathering baseline data for the Town of Kiawah Island's Marsh Management Plan. Phase II would compound on the Phase I analysis by taking progressive steps to gather data to inform on appropriate designs to implement during active campaigns to restore marsh and intertidal habitats. Through funding from the NFWF (ECRF 2019), information will also be shared with stakeholder organizations on Kiawah Island to review and provide feedback on future marsh restoration designs and processes.

Upon ECRF project completion, enough information will be gathered to confidently apply for outside funding to implement marsh restoration projects. This includes applying for grants through federal government entities (e.g., NOAA) and congressionally appropriated organizations (e.g., NFWF). The initial goal upon project completion is to submit subsequent applications to NFWF's Coastal Resilience Fund (ECRF/NCRF) opportunities with targeted funding ranges between \$1-2 million.

Through support of the Unvegetated-Vegetated Marsh Ratio analysis, the Conservancy and the Town have the opportunity to support environmental research with statewide implications. Furthermore, we would obtain state-of-the-art analysis of our marshes, become the first community in the State to receive these research products, and open up opportunities for further collaboration with State and Federal governmental partners.

Reasoning

- Rising intertidal elevations can affect the ability of marshland vegetation to adapt to different conditions in the marsh, limiting their survival in harsh conditions and facilitating subsequent impacts to other wildlife within the ecosystem.
- Rising water elevations may cause the marsh to migrate inland if the topography of the area is amenable - (i.e., Erosion of the land abutting the marsh causing property loss).
- Outflows into the marsh and erosion control infrastructure in marshlands can facilitate erosion and make areas more vulnerable to sea-level rise, storm inundation, and coastal flooding.

Objectives

- Use mapping software to analyze aerial LiDAR imagery to study the migration of soil and vegetation within the marsh.
- Obtain information to better understand and model future impacts caused by sea-level rise, flooding, and human influence on the marshland.
- Identify areas of vulnerability within the marsh to prioritize wetland vegetation and oyster reef restoration efforts to enhance the island's resilience to environmental changes and natural hazards.
- Promote protection of the marshland ecosystem
 - Speaking engagements (i.e., Conservation Matters) with researchers
 - Articles in Naturally Kiawah magazine
 - Produced print for marketing and education

Requirements and approximate costs associated or needed to accomplish this project

- Geospatial Information System Specialist stationed at the College of Charleston Lowcountry Hazards Center with occasional travel to Kiawah Island (\$17,000)
- Coastal Resilience Evaluation and Siting Tool [CREST] (NFWF) which can be downloaded and utilized with ArcGIS mapping software.
- Work with organizational partners to share funding, as well as provide supplemental expertise and equipment.

Outcomes

- Information can be incorporated into the future iterations of the Town of Kiawah Island's Marsh Management Plan.
- Information to help the Conservancy identify vulnerable areas to prioritize conservation and habitat restoration efforts.
- Model potential future impacts caused by sea-level rise, flooding, and other environmental influences.
- Respond to concerns mentioned under "Salt Marsh Preservation" in the Town's Amended Comprehensive Plan (page V-5).
- Assist the Town in pursuing goals listed in the Town's amended Comprehensive Plan by providing information about protecting key natural resources and promoting community resilience.
 - Land Use goals 3 & 5
 - Natural Resources goals 2b, 2c, 3a, 3c, 3d, 4d, and 5c
 - Natural Resources goal 6a; Town funding will serve as match funds for a proposed project under the Emergency Coastal Resilience Fund 2019 that has been approved by NFWF, which has received support from federal and state partners.
 - Priority Investment goal 4 (c, d)
- Receive state-of-the-art vulnerability analysis of the marshes surrounding Kiawah Island



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TOWN COUNCIL

Agenda Item

WORK IN PROGRESS

The materials for this tab are nearly complete and will be sent to you electronically and added to the December Town Council Agenda and Materials

Thank you very much!!



Tab | 11

TOWN COUNCIL

Agenda Item

TOWN OF KIAWAH ISLAND

2021 Town Meeting Schedules*

All meetings are held at the Municipal Center located at 4475 Betsy Kerrison Parkway, Kiawah Island, SC.
Schedules are also available at www.kiawahisland.org or by calling 843-768-9166.

Town Council

Meetings at 2:00 pm

January 5th
February 2nd
March 2nd
April 6th
May 4th
June 1st
July 6th
August 3rd
September 7th
October 5th
November 2nd
December 7th

Arts & Cultural Events Council

Meetings at 2:00 pm

January 7th
February 4th
April 8th
May 6th
June 3rd
August 5th
September 2nd
October 7th
November 4th
December 2nd

Arts Council Board

Meetings at 10:00 am

January 4th
April 5th
July 12th
October 4th

CERT Team

Meetings at 3:00 pm

January 20th
April 21st
July 21st
October 20th

Planning Commission

Meetings at 3:00 pm

January 6th
February 3rd
March 3rd
April 7th
May 5th
June 2nd
July 7th
August 4th
September 8th
October 6th
November 3rd
December 8th

Public Works Committee

Meetings at 10:00 am

January 18th
February 8th
March 8th
April 12th
May 10th
June 14th
July 12th
August 9th
September 13th
October 11th
November 8th
December 13th

Public Safety Committee

Meetings at 11:30 am

January 13th
February 10th
March 10th
April 14th
May 12th
June 9th
July 14th
August 11th
September 15th
October 13th
November 10th
December 15th

Environmental Committee

Meetings at 2:00 pm

January 12th
March 9th
May 11th
July 13th
September 14th
November 9th

Board of Zoning Appeals

Meetings at 3:00 pm

January 25th
February 22nd
March 15th
April 19th
May 17th
June 21st
July 19th
August 16th
September 20th
October 18th
November 15th
December 20th

Ways and Means Committee

Meetings at 2:00 pm

January 26th
February 23rd
March 23rd
April 27th
May 25th
June 22nd
July 27th
August 24th
September 28th
October 26th
November 30th
December 21st

*Rescheduled meetings will be posted on the website